

AN ORDINANCE

BY: COUNCILMEMBER HOWARD SHOOK

Howard Shook

04-0 -1435

AN ORDINANCE TO AMEND THE ZONING CODE OF THE CITY OF ATLANTA, SECTIONS 16-29.001 AND 16-17.005 FOR THE PURPOSE OF ADDING DEFINITIONS OF THE TERMS, "CONCRETE," "CONCRETE PLANT," "CEMENT" AND "CEMENT PLANT" AND TO PROVIDE THAT CONCRETE PLANTS BE PERMITTED ONLY IN I-2 ZONING DISTRICTS BY SPECIAL USE PERMIT; AND FOR OTHER PURPOSES.

2-04-107

WHEREAS, Section 16-29.001 of the City of Atlanta Zoning Code contains definitions of terms used in the Zoning Code ; and

WHEREAS, there is currently no definition for the terms, "concrete," "concrete plant," "cement" and "cement plant" in the Zoning Code; and

WHEREAS, the generally understood definition of "cement plant" and "concrete plant" define a use that is most suitable for location only in the I-2 zoning districts by special use permit, due to noise, lights, hours of operation, the use of raw materials that are in particulate form which becomes easily airborne, the increased heavy truck traffic which results from the transport of cement and concrete to other sites; and

WHEREAS, it is in the best interests of the City and for the health, safety and welfare of its residents, businesses, commuters, and visitors that certain definitions be adopted to provide more specific guidance as to the type of facilities, operations and uses which deal with the manufacturing and processing of concrete and to state that concrete plants may only be located in the I-2 district and will require a special use permit.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS, as follows:

Section 1. That Section 16-29.001 of the Zoning Code of the City of Atlanta be amended to include the following definitions, which may be added at a place selected by the Municipal Code Corporation during codification, and which shall read as follows:

Cement: Raw materials, such as silica, alumina, iron oxide, or the like, used for the manufacture of concrete, but not including sand, gravel, topsoil, dirt or other raw materials unless the same is to be crushed, screened, heated or otherwise processed into compounds used primarily for the manufacture of concrete.



Cement plant: any facility, which crushes, screens, heats or otherwise processes materials, such as silica, alumina, iron oxide, or like materials into compounds used primarily for the manufacture of concrete. A facility that extracts or removes sand, gravel, topsoil, dirt or other natural resources shall not be considered a cement plant unless the facility also crushes, screens, heats or otherwise processes materials such as silica, alumina, iron oxide, or like materials into compounds used primarily for the manufacture of concrete.

Concrete: any mixture of sand, gravel, crushed stone, or other aggregates, with water and portland cement or other materials, which as the result of hydration, will bind into a rocklike mass; for the purposes of this definition, a mixture of materials shall be considered concrete without regard to the particular proportion of materials if as the result of hydration the materials will bind into a rocklike mass.

Concrete plant: a facility that processes any mixture of raw materials into concrete for distribution to other sites whether through the transfer of already mixed raw materials into trucks, or through the loading of materials into trucks, which mix the raw materials into concrete on route to or at the site. A facility which processes raw materials into concrete on a site for the production, repairing, compounding or assembly of products made of concrete, shall not be considered a concrete plant unless the facility also distributes concrete produced on the site to other sites in the same manner as a concrete plant.

Section 2. That Section 16-17.005(e) of the Zoning Code of the City of Atlanta be amended by striking in its entirety the current language which reads as follows:

(e) cement, lime, gypsum or plaster of Paris manufacture.

and replacing said language, with the following language so that said Section 16-17.005(e) of the Zoning Code of the City of Atlanta shall read as follows:

(e) concrete plants, cement plants, plants for the manufacture of lime, gypsum, plaster of Paris.

A true copy,

Handwritten signature of Rhonda Daughlin Johnson in cursive script.
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

DEC 06, 2004

DEC 10, 2004

RCS# 6313
12/06/04
5:26 PM

Atlanta City Council

Regular Session

MULTIPLE

04-O-1411 04-O-1832 04-O-1408 04-O-1435
04-O-1834 04-O-1836 04-O-1848

ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	NV Norwood
Y Young	Y Shook	Y Maddox	NV Willis
Y Winslow	NV Muller	Y Sheperd	NV Borders

MULTIPLE

04-O-1435
 (Do Not Write Above This Line)

Z-04-187
Howard Shook

AN ORDINANCE BY COUNCILMEMBER HOWARD SHOOK

AN ORDINANCE TO AMEND THE ZONING CODE OF THE CITY OF ATLANTA, SECTIONS 16-29.001 AND 16-17.005 FOR THE PURPOSE OF ADDING DEFINITIONS OF THE TERMS, "CONCRETE", "CONCRETE PLANT", "CEMENT" AND "CEMENT PLANT" AND TO PROVIDE THAT CONCRETE PLANTS BE PERMITTED ONLY IN I-2 ZONING DISTRICTS BY SPECIAL USE PERMIT; AND FOR OTHER PURPOSES.

ADOPTED BY

DEC 06 2004

COUNCIL

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred **08/16/04**

Referred To: *ARB and Spring*

Date Referred

Date Referred

Referred To:

Committee _____
 Date _____
 Chair _____
 Referred to _____

First Reading

Committee *Zoning*
 Date *Dec 9, 2004*

Chair *[Signature]*
 Action: _____

Fav. Adv. Hold (see rev. side) _____
 Other: _____

Members *[Signatures]*

Refer To _____

Committee _____

Date _____

Chair _____

Action: _____

Fav. Adv. Hold (see rev. side) _____
 Other: _____

Members _____

Refer To _____

Committee _____

Date _____

Chair _____

Action: _____

Fav. Adv. Hold (see rev. side) _____
 Other: _____

Members _____

Refer To _____

Committee _____

Date _____

Chair _____

Action: _____

Fav. Adv. Hold (see rev. side) _____
 Other: _____

Members _____

Refer To _____

FINAL COUNCIL ACTION
 2nd 1st & 2nd 3rd
 Readings
 Consent V Vote CRC Vote

CERTIFIED

CERTIFIED
 DEC 06 2004

MAYOR'S ACTION

[Signature]
 DEC 10 2004
MAYOR